

(b) *Consular bags.* Consular bags must bear visible external marks of their character and their contents are restricted to official correspondence and documents or articles intended exclusively for official use. Consular bags shall not be subject to duty and ordinarily shall not be opened or detained. However, if Customs officers have serious reason to believe that a consular bag contains other than permissible materials, they may request that the bag be opened in their presence by an authorized representative of the foreign government concerned. If this request is refused, the consular bag shall be returned to its place of origin.

§ 148.84 Special treatment for returning individuals.

(a) Except as otherwise provided by law, an individual returning to the United States from abroad:

(1) Shall not have his or her baggage and effects admitted free of duty without entry.

(2) Shall not be entitled to expedited Customs examination and clearance of his or her baggage and effects unless the port director finds:

(i) That the individual:

(A) Is seriously ill or infirm;

(B) Was summoned by news of affliction or disaster; or

(C) Is accompanying the body of a deceased relative; or

(ii) That a special circumstance exists which warrants expedited examination and clearance.

(b) For purposes of this section, the term “baggage and effects” means any article which was in the possession of the individual while abroad, is being imported in connection with his or her arrival, and is intended for his or her bona fide personal or household use. This term does not include any article imported as an accommodation to others or for sale or other commercial use.

[T.D. 78–394, 43 FR 49789, Oct. 25, 1978]

§ 148.85 Subsequent importations for the personal or family use of diplomatic, consular and other privileged personnel.

The privilege of importing free of duty and without the filing of any entry articles for personal or family use, but not as an accommodation for

others or for sale or other commercial use, shall be granted upon the request of the Department of State and upon appropriate instructions from the United States Customs Service in each instance, to the following:

(a) Ambassadors, ministers, *chargés d'affaires*, secretaries, counselors and attachés of foreign embassies and legations accredited to the United States under subheading 9806.00.40, Harmonized Tariff Schedule of the United States (HTSUS) (19 U.S.C. 1202);

(b) Other representatives, officers and employees of foreign governments, under subheading 9806.00.50, HTSUS; and

(c) Other persons designated pursuant to statute or pursuant to treaties between the United States and the countries which they represent, under subheading 9806.00.55, HTSUS.

[T.D. 73–27, 38 FR 2449, Jan. 26, 1973, as amended by T.D. 89–1, 53 FR 51266, Dec. 21, 1988]

§ 148.86 Articles for official use of representatives of foreign governments and public international organizations.

Office supplies and equipment and other articles for the official use of members and attaches of foreign embassies and legations, consular officers, and other representatives of foreign governments or of personnel of public international organizations, may be admitted free of duty under subheading 9809.00.20, Harmonized Tariff Schedule of the United States, without the filing of an entry, upon the request of the Department of State.

[T.D. 73–27, 38 FR 2449, Jan. 26, 1973, as amended by T.D. 82–145, 47 FR 35478, Aug. 16, 1982; T.D. 89–1, 53 FR 51266, Dec. 21, 1988]

§ 148.87 Officers and employees of, and representatives to public international organizations.

(a) *Exemption for baggage and effects.* The baggage and effects of the alien officers and employees of, or representatives of foreign governments, to the organizations designated by the President as public international organizations pursuant to section 1 of the International Organizations Immunities Act

United States Customs Service, Treasury

§ 148.87

(22 U.S.C. 288), and the baggage and effects of their families, suites, and servants, shall be admitted free of duty and without entry under subheading 9806.00.15, Harmonized Tariff Schedule of the United States (19 U.S.C. 1202), but only upon the receipt in each instance of instructions from the United States Customs Service issued at the request of the Department of State.

(b) *Designated public international organizations.* The President, by virtue of the authority vested in him by section 1 of the International Organizations Immunities Act of December 29, 1945 (22 U.S.C. 288), has designated certain organizations as public international organizations entitled to the free entry privileges of that statute. The following is a list of the public international organizations currently entitled to such free entry privileges and the Executive orders by which they were designated:

Organization	Executive Order	Date
African Development Bank	12403	Feb. 8, 1983.
African Development Fund	11977	Mar. 14, 1977.
Asian Development Bank	11334	Mar. 7, 1967.
Border Environmental Cooperation Commission.	12904	Mar. 16, 1994.
Caribbean Organization	10983	Dec. 30, 1961.
Commission for Environmental Cooperation.	12904	Mar. 16, 1994.
Commission for Labor Cooperation.	12904	Mar. 16, 1994.
Commission for the Study of Alternatives to the Panama Canal.	12567	Oct. 2, 1986.
Customs Cooperation Council ..	11596	June 5, 1971.
European Bank for Reconstruction and Development.	12766	June 18, 1991.
European Space Agency (formerly the European Space Research Organization (ESRO)).	12766	June 18, 1991.
Food and Agriculture Organization.	9698	Feb. 19, 1946.
Great Lakes Fishery Commission.	11059	Oct. 23, 1962.
Inter-American Defense Board	10228	Mar. 26, 1951.
Inter-American Development Bank.	10873	Apr. 8, 1960.
Inter-American Institute of Agricultural Sciences.	9751	July 11, 1946.
Inter-American Investment Corporation.	12567	Oct. 2, 1986.
Inter-American Statistical Institute.	9751	Do.
Inter-American Tropical Tuna Commission.	11059	Oct. 23, 1962.
Intergovernmental Maritime Consultative Organization.	10795	Dec. 13, 1958.
International Atomic Energy Agency.	10727	Aug. 31, 1957.
International Bank for Reconstruction and Development.	9751	July 11, 1946.

Organization	Executive Order	Date
International Boundary and Water Commission, United States & Mexico.	12467	Mar. 2, 1984.
International Centre for Settlement of Investment Disputes.	11966	Jan. 19, 1977.
International Civil Aviation Organization.	9863	May 31, 1947.
International Coffee Organization.	11225	May 22, 1965.
International Committee of the Red Cross.	12643	June 23, 1988.
International Cotton Advisory Committee.	9911	Dec. 19, 1947.
International Cotton Institute	11283	May 27, 1966.
International Criminal Police Organization (INTERPOL)—Limited privileges..	12425	June 16, 1983.
International Development Association.	12971	Sep. 15, 1995.
International Development Law Institute.	11966	Jan. 19, 1977.
International Development Law Institute.	12842	Mar. 29, 1993.
International Fertilizer Development Center.	11977	Mar. 14, 1977.
International Finance Corporation.	10680	Oct. 2, 1956.
International Food Policy Research Institute—Limited privileges only.	12359	Apr. 22, 1982.
International Fund for Agricultural Development.	12732	Oct. 31, 1990.
International Hydrographic Bureau.	10769	May 29, 1958.
International Joint Commission—United States and Canada.	9972	June 25, 1948.
International Labor Organization	9698	Feb. 19, 1946.
International Maritime Satellite Organization.	12238	Sept. 12, 1980.
International Monetary Fund	9751	July 11, 1946.
International Pacific Halibut Commission.	11059	Oct. 23, 1962.
International Secretariat for Volunteer Service.	11363	July 20, 1967.
International Telecommunications Satellite Organization (INTELSAT).	11966	Jan. 19, 1977.
International Telecommunication Union.	9863	May 31, 1947.
International Wheat Advisory Committee (International Wheat Council).	9823	Jan. 24, 1947.
Multilateral Investment Guarantee Agency.	12647	Aug. 2, 1988.
Multinational Force and Observers.	12359	Apr. 22, 1982.
North American Development Bank.	12904	Mar. 16, 1994.
North Pacific Anadromous Fish Commission.	12895	Jan. 26, 1994.
North Pacific Marine Science Organization.	12894	Jan. 26, 1994.
Organization for Economic Cooperation and Development [formerly Organization for European Economic Cooperation].	10133	June 27, 1950.
Organization of African Unity (OAU).	11767	Feb. 19, 1974.
Organization of American States.	10533	June 3, 1954.

Organization	Executive Order	Date
Organization of Eastern Caribbean States.	12669	Feb. 20, 1989.
Pacific Salmon Commission	12567	Oct. 2, 1986.
Pan American Health Organization (includes the Pan American Sanitary Bureau).	10864	Feb. 18, 1960.
Preparatory Commission of the International Atomic Energy Agency.	10727	Aug. 31, 1957.
Provisional Intergovernmental Committee for the Movement of Migrants from Europe (now known as the Intergovernmental Committee for European Migration).	10335	Mar. 28, 1952.
South Pacific Commission	10086	Nov. 25, 1949.
United International Bureau for the Protection of Intellectual Property.	11484	Sept. 29, 1969.
United Nations	9698	Feb. 19, 1946.
United Nations Educational, Scientific, and Cultural Organization.	9863	May 31, 1947.
United Nations Industrial Development Organization.	12628	Mar. 8, 1988.
Universal Postal Union	10727	Aug. 31, 1957.
World Health Organization	10025	Dec. 30, 1948.
World Intellectual Property Organization.	11866	June 18, 1975.
World Meteorological Organization.	10676	Sept. 1, 1956.
World Tourism Organization	12508	Mar. 22, 1985.

[T.D. 73–27, 38 FR 2449, Jan. 26, 1973]

EDITORIAL NOTE: For FEDERAL REGISTER citations affecting §148.87, see the List of CFR Sections Affected in the Finding Aids section of this volume.

§ 148.88 Certain representatives to and officers of the United Nations and the Organization of American States.

(a) *Exemption for baggage and effects and admission without entry.* At the request of the Department of State and upon appropriate instructions from the United States Customs Service in each instance, the privilege of admission free of duty without the filing of an entry may be extended to the baggage and effects of the following alien representatives, officers, and members of the staff of the United Nations and the Organization of American States, and their personal baggage is ordinarily exempt from inspection, subject to § 148.82(e)(2):

(1) Every person designated by a United Nations member nation as the principal resident representative to the United Nations of such member or as a resident representative with the rank

of ambassador or minister plenipotentiary and members of their families;

(2) Such resident members of their staffs as may be agreed upon between the Secretary-General of the United Nations, the Government of the United States, and the Government of the United Nations member concerned and members of their families;

(3) Every person designated by a United Nations member of a specialized United Nations agency as its principal resident representative, with the rank of ambassador or minister plenipotentiary at the headquarters of such agency in the United States and members of their families;

(4) Such other principal resident representatives of United Nations members to a specialized United Nations agency and such resident members of the staffs of representatives to a specialized United Nations agency as may be agreed upon between the principal executive officer of the specialized agency, the Government of the United States, and the Government of the United Nations member concerned and members of their families;

(5) The Secretary-General, Under Secretaries-General, and Assistant Secretaries-General to the United Nations and members of their families;

(6) Representatives of members to the principal and subsidiary organs of the United Nations and to conferences convened by the United Nations, while exercising their functions and during their journey to and from the place of meeting, with regard to personal baggage only;

(7) Experts performing missions for the United Nations, the same facilities for personal baggage as are accorded diplomatic envoys;

(8) Any person designated by a member of the Organization of American States as its representative or interim representative on the council of the Organization of American States and members of their families; and

(9) All other permanent members of the Delegation of a member of the Organization of American States and members of their families regarding whom there is agreement for that purpose between the government of the